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# Unique Type of Slovenian Local Leaders Where Executive Mayors have Mediterranean Strength

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## Abstract

Reforms spreading throughout Europe have brought different streams that have reorganised the structures of local authorities. The impact of reform has been especially strong on local political leadership, which is the key element in the functioning of local authorities. According to POLLEADER<sup>1</sup> typology, Slovenia belongs in the Central East European group of countries with executive mayors, but our analysis shows that during reforms several elements deriving from Southern European local government traditions were introduced into the Slovenian local self-government system. In Slovenia, the Continental European Napoleonic administrative tradition persists, in which mayors have significant influence and control over the municipal administration and are also deeply involved in its everyday functioning. Hence Slovenia, with a directly elected strong mayor, occupies a unique place at the intersection of Southern European local government systems and the Central East European type of local–central relations.

**Keywords:** local political leadership, mayoral strength, Southern European local government systems, Central East European type, Slovenia.

## Introduction

Local political leaders mainly represent local executive bodies and are situated at the junction of at least two lines of influence. The first is the line

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<sup>1</sup> Hubert Heinelt, Nikolaos-K. Hlepas, “Typologies of Local Government Systems”, in Henry Bäck, Hubert Heinelt, Annick Magnier (eds.), *The European Mayor, Political Leaders in the Changing Context of Local Democracy*, VS Verlag für Sozialwissenschaften, Wiesbaden, 2006, pp. 21–42.

between politics and administration (horizontal relations) and the second is the line between the local community and central or national government (vertical relations)<sup>2</sup>. Local leadership is therefore a key element in the functioning of local authorities. Since 1980, the systems of local authorities across Europe have undergone important institutional changes, especially with regard to two institutional dimensions. First, the strategy and logic of the reforms were set to strengthen political and executive leadership, as well as improve (internal) management skills. Second, further reform strategies were directed towards the introduction of new public management and EU policies of market liberalisation. In all cases, strategies had the aim of the (external) reorganisation of local authorities. These processes occurred with assistance from external contactors or in line with the privatisation processes of local authorities. Conceptually and terminologically speaking, local leadership fits into a discussion on governance<sup>3</sup>. This means that stakeholders' networks usually operate outside local government and are defined in the descriptive–analytical understanding of the discourse on governance – therefore as part of the structure of governance<sup>4</sup>.

Executive power institutional arrangements at local level, which are the subject of numerous local government institutional reforms, are an important dimension of local leadership<sup>5</sup>. Research into local leadership therefore has its origins in an institutional context, where the significance of executive power at the local level is linked to traditional questions such as, “Where is the power located?”, “Who exercises the power?” and “Who makes decisions?”. Local political leaders are placed in the overall structure of local institutions, functions and responsibilities. Hence, local leadership should be treated as a political institution, which – in a network of intersecting formal and informal rules – forms (but does not also determine) the leadership of politicians, civil servants and citizens. Furthermore, local leadership provides a framework for

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<sup>2</sup> Ivan Koprić, “Roles and Styles of Local Political Leaders on the Territory of the Former Yugoslavia: Between Authoritarian Local Political Top Bosses and Citizens-Oriented Local Managers”, *Hrvatska javna uprava*, vol. 9, no. 1, 2009, pp. 79–105.

<sup>3</sup> Rod A. W. Rhodes, *Understanding Governance: Policy Networks, Governance, Reflexivity and Accountability*, Macmillan, London, 1997; Paul Pierson, “Increasing returns. Path dependence and the study of politics”, *American political science review*, vol. 94, no. 2, 2000, pp. 251–267; Peter John, *Local Governance in Western Europe*, Sage Publications Ltd., London, 2001.

<sup>4</sup> Hellmut Wollmann, “Local Government Reforms in (Seven) European Countries: Between Convergent and Divergent, Conflicting and Complementary Developments”, *Local Government Studies*, vol. 38, no. 1, 2012, pp. 41–70.

<sup>5</sup> Steve Leach, Vivien Lowndes, “Of Roles and Rules: Analysing the Changing Relationship between Political Leaders and Chief Executives in Local Government”, *Public Policy and Administration*, vol. 22, no. 2, 2007, pp. 183–200.

understanding and identifying various stakeholders in political processes at the local level.

This paper presents a case study of local (self-)government institutional aspects and local political leadership in Slovenia. The main aim is to elucidate the unique position and type of local political leadership that Slovenian mayors developed in the last two decades. Our assertion is that “Slovenian mayors have developed a unique leadership type”, and the research question asks whether overlapping political and administrative traditions have had a major influence on that development. These issues are important because existing typologies of local political leadership are often generalised and neglect specific institutional designs and political practices. To further this discussion, the following methodological approaches are applied: analysis and interpretation of legal documents and other secondary sources, as well as interpretation of data gathered from an empirical survey, in combination with in-depth interviews conducted with Slovenian local leaders. The paper provides the basis for consideration and future discussion of the relevance of existing political leadership typologies, as well as encouraging the discovery and creation of new (sub)type(s) of evolving political leadership.

The paper is structured in five sections. The first section presents a brief overview of literature and typologies, which serve as starting point for our analysis. In the main three sections we discuss the separation of powers in Slovenian local (self-)government system’s evolution and steps towards empowering mayors, analyse mayoral involvement in municipal administration, supported by a substantial amount of empirical data, and discuss the relationship between local (self-)government and national politics in terms of autonomy and the rise of non-partisan mayors.

### Slovenia: A Post-Communist Country, But ...

When considering the role of mayors in a specific local authority system, we need to take into account both the relationships between the mayor, the local council and the municipal administration (i.e. the principle of the separation of powers) and the vertical dimension of the distribution of tasks and responsibilities between local authorities and central government. This is especially important when determining whether a mayor, elected as a politician, represents and/or manages the municipality with a wide or a limited range of powers and responsibilities in the provision of services. It is also important to assess how extensive is the mayor’s fiscal and financial jurisdiction. In mayoral competences, along with the municipal responsibilities and the legal and financial capacity to regulate local affairs, a shift "from government to

governance" can often be observed. This may prove a challenge for municipal leadership in newly developed local government arrangements<sup>6</sup>.

Local leadership is crucial for the operation and success of responsive and accountable local governance<sup>7</sup>, which requires strong but also creative leaders. They provide direction and guidance in the formulation of local policies and coordinate the actions of individuals and organisations. They are also involved in the reconstruction of local identity. From this perspective, traditional leaders, with their formal political authority and power over others, no longer accord with the changed situation of a fragmented local community<sup>8</sup>. In fact, local communities, though having different values and conflicting interests, need at the same time to ensure the mutual interdependence of the various stakeholders of governance. The contemporary form of leadership is facilitative leadership<sup>9</sup>, which derives from cooperation with others to achieve collective and consensual results; thus it stems from the work of many. Facilitative leadership is decentralised practice, arising from structures, processes and interactions, and is closely linked to stakeholders' interdependence. While some experts note the lack of opposition in such a leadership style, it undeniably facilitates the participation process and the coordination of different interests and thus also attains a certain legitimacy. The crucial problems are facilitating new forms of democratic mobilisation and obviating the risk that the leadership type will transform into technocratic leadership, based on functionalist rationality rather than democratic innovation. Some experts<sup>10</sup> argue that, of all executive power models at local level, the closest model to this leadership type is in fact the mayoral model, which ensures accessibility and transparency, partnerships, non-partisanship and greater efficiency.

Systems of local government are usually perceived and examined as independent variables in the treatment of (possible) differences in recruitment patterns, professionalisation, the roles of mayors in local and multi-level

<sup>6</sup> Olivier Borraz, Peter John, "The Transformation of Urban Political Leadership in Western Europe", *International Journal of Urban and Regional Research*, vol. 28, no. 1, 2004, pp. 107–120; Simona Kukovič, *Lokalno politično vodenje: Slovenski župani v primerjalni perspektivi (Local Political Leadership: Slovenian mayors in Comparative Perspective)*, Faculty of Social Sciences, Ljubljana, 2015, p. 61.

<sup>7</sup> Olivier Borraz, Peter John, "The Transformation of Urban ... cit.", pp. 107–120.

<sup>8</sup> See also Aleksandar Dimitrov, "Political Leadership in Times of Crises - Theories and Models Worthy for our Changing World", *Journal Of Comparative Politics*, vol. 10, no. 1, 2017, pp. 25–26.

<sup>9</sup> James H. Svara, *The facilitative leader in city hall: reexamining the scope and contributions*, CRC Press, Boca Raton, FL, 2008; Sonia Bussu, Koen P.R. Bartels, "Facilitative Leadership and the Challenge of Renewing Local Democracy in Italy", *International Journal of Urban and Regional Research*, vol. 38, no. 6, 2013, pp. 2256–2273.

<sup>10</sup> For example Francesca Gains, Stephen Greasley, Peter John, Gerry Stoker, *Does Leadership Matter? A Summary of Evidence on the Role and Impact of Political Leadership in English Local Government*, DCLG, London, 2007.

governance arrangements (vertical and horizontal networking), the interpretation of the concept of democracy and (de)centralisation and observations on public sector reforms<sup>11</sup>. Deciding on the most appropriate typology of local authority systems to be used for comparative research into local authorities in different settings is difficult. On the one hand, there are many typologies used in academic discussions. On the other hand, they are of doubtful usefulness, since none of them actually covers all European countries, and many do not include the "new democracies" of Central and Eastern Europe. Despite these reservations, when defining the Slovenian local self-government system, we are using the upgraded Hesse and Sharpe<sup>12</sup> typology of vertical dimensions of the relationship between local and central authorities<sup>13</sup>. In their typology, Hesse and Sharpe offer a distinction between three types of local government systems that reflect both the division of powers in the provision of public services and political power and influence at the local level compared to a higher level of government. The first section in their typology is the Franco group, characterised by the fact that the local authority covers territorially defined communities and forms territorial structures for the dissemination of interests at a lower level of government. The mayor is expected to represent the interests of his/her local community at higher levels of governance. The second section is the Anglo group, which is characterised by the weak legal and political status of the local authorities, but is nevertheless important in the shaping and delivery of public services; local authorities therefore have a more functional role than a political one. The third section is a Nordic and Central European group, with a strong emphasis on the shaping and implementation of public services by local authorities. Local government is thus institutionalised (with a strong constitutional position and relatively high levels of financial independence) at an autonomous, decentralised level of policy-making<sup>14</sup>.

On the horizontal dimensions of the power balance between the mayor, the local council and the municipal administration, we are using the typology

<sup>11</sup> Hubert Heinelt, Nikolaos-K. Hlepas, "Typologies of Local Government Systems", in Henry Bäck, Hubert Heinelt, Annick Magnier (eds.), *The European Mayor, Political Leaders in the Changing Context of Local Democracy*, VS Verlag für Sozialwissenschaften, Wiesbaden, 2006, p. 21; Marjan Brezovšek, Simona Kukovič, *Organizacija lokalne oblasti v Sloveniji (The organization of local authorities in Slovenia)*, Faculty of Social Sciences, Ljubljana, 2012, p. 27.

<sup>12</sup> Joachim Jens Hesse, Laurence J. Sharpe, "Local Government in International Perspective: Some Comparative Observations", in Joachim Jens Hesse, Laurence J. Sharpe (eds.), *Local Government and Urban Affairs in International Perspective; Analyses of Twenty Western Industrialised Countries*, Auflage, Baden-Baden, 1991, pp. 603–621.

<sup>13</sup> Hubert Heinelt, Nikolaos-K. Hlepas, "Typologies of Local Government Systems", in Henry Bäck, Hubert Heinelt, Annick Magnier (eds.), *The European Mayor, Political Leaders in the Changing Context of Local Democracy*, VS Verlag für Sozialwissenschaften, Wiesbaden, 2006, p. 34.

<sup>14</sup> See Joachim Jens Hesse, Laurence J. Sharpe, "Local Government ... cit.", pp. 603–621.

developed by Mouritzen and Svava<sup>15</sup>. Mouritzen and Svava describe the apex leadership as contact between civil servants at the top of the administrative sphere and politicians at the top of the political sphere. They assume the possibility that the two groups keep their distance and carefully manage the exchange of resources with another group. But it is also possible that there is a positive correlation between the two spheres, thus creating a combined leadership of civil servants and politicians. Mouritzen and Svava put forward the hypothesis that the structural features of local government in a particular country reflect a balance or a compromise between the three organisational principles, namely the rule of the people (unprofessional public), political leadership and professionalism. The Mouritzen and Svava typology is based on four models. The first is the model of a strong elected mayor, who characteristically oversees the work of the majority of the municipal council and is also fully responsible for all executive functions. The second is the committee leader model, in which one person is an obvious political leader of the municipality, who may or may not have the title of mayor. A political leader may or may not have control over the municipal council. In the third model, the collective model, the decision-making responsibilities are in the hands of the collective body, the executive board, which is responsible for all executive functions. The executive committee consists of elected local politicians and the mayor, who presides over the committee. In the further model, the local council-manager model, all executive functions are in the hands of a professional administrator (city manager), appointed by the local council. Although the council has general policy oversight, its scope in administrative matters is limited<sup>16</sup>.

Heinelt and Hlepas<sup>17</sup>, in their study of the vertical dimension of local authority systems, eliminated the shortcomings of Hesse and Sharpe<sup>18</sup> typology, which failed to include the new democracies of Central and Eastern Europe, established in the period after 1990<sup>19</sup>. Even Slovenia, thanks to historical peculiarities (the traditions of its past political system, path dependency, the process of democratic consolidation and especially radical decentralisation), may be assigned to the new group of post-communist countries, namely the Central East European group<sup>20</sup>. In terms of horizontal dimensions in the four

<sup>15</sup> Poul Erik Mouritzen, James H. Svava, *Leadership at the apex; Politicians and administrators in Western local governments*, University of Pittsburgh Press, Pittsburgh, 2002.

<sup>16</sup> *Ibidem*.

<sup>17</sup> Hubert Heinelt, Nikolaos-K. Hlepas, "Typologies of Local Government ... cit.", pp. 21–42.

<sup>18</sup> See Joachim Jens Hesse, Laurence J. Sharpe, "Local Government ... cit.", pp. 603–621.

<sup>19</sup> See also Jerzy J. Wiatr, "Leadership and Political Change: 25 Years of Transformation in Post-Communist Europe", *Journal Of Comparative Politics*, vol. 9, no. 2, 2016, p. 12.

<sup>20</sup> Hubert Heinelt, Nikolaos-K. Hlepas, "Typologies of Local Government ... cit.", pp. 21–42; see also Simona Kukovič, *Lokalno politično vodenje: Slovenski župani v primerjalni*

ideal models of Mouritzen and Svava<sup>21</sup>, Slovenia may be classified as a strong mayor model<sup>22</sup>. The POLLEADER typology of European mayors encompasses both vertical and horizontal dimensions. Because mayors in the Central East European type of local government systems are not only formally the heads of municipal administration, responsible for a broad spectrum of public services, but are also in full charge of their administrations, these mayors are called *executive mayors*<sup>23</sup>. Slovenia therefore belongs to a group of post-communist countries with executive mayors. Such a definition would be sustainable if additional analysis of the institutional power of mayors were not to reveal specific characteristics that remove Slovenia from other post-communist countries and connects it to the Southern European countries of the Franco group<sup>24</sup>. Below we therefore precisely analyse three dimensions that place Slovenian mayors in a unique position vis-à-vis their counterparts elsewhere in Europe.

## Steps Towards Increasing The Powers Of Slovenian Mayors

Our analysis of the first dimension begins with the calculated index of institutionally determined mayoral strength or power. Heinelt and Hlepas<sup>25</sup> used seven indicators<sup>26</sup> to form the index of mayoral strength. The resulting calculation is quite surprising in the case of Slovenian mayors. Slovenia rated

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*perspektivi (Local Political Leadership: Slovenian mayors in Comparative Perspective)*, Faculty of Social Sciences, Ljubljana, 2015, p. 38 and p. 62.

<sup>21</sup> See Poul Erik Mouritzen, James H. Svava, *Leadership at the apex ... cit.*

<sup>22</sup> Simona Kukovič, *Lokalno politično vodenje ... cit.*, p. 38 and p. 57.

<sup>23</sup> Hubert Heinelt, Nikolaos-K. Hlepas, "Typologies of Local Government ... cit.", p. 36.

<sup>24</sup> The Franco group (named after its Napoleonic roots) covers the countries in which local government is considered to cover territorially defined communities and to form the structures of territorial interest intermediation at the lower level of government. The mayor is expected to represent the interests of this community to higher government levels. This group includes France, Italy, Spain, Portugal and Greece. See Hubert Heinelt, Nikolaos-K. Hlepas, "Typologies of Local Government ... cit.", p. 26.

<sup>25</sup> Hubert Heinelt, Nikolaos-K. Hlepas, "Typologies of Local Government ... cit.", p. 37.

<sup>26</sup> Indicator 1: mayors are directly designated by the citizens; indicator 2: mayors have a term of office that does not correspond to the council election term, and which can thus be seen as an indicator of an election or appointment of the mayors independently of council elections; indicator 3: mayors usually control the council majority; indicator 4a: mayors cannot be recalled by the council; indicator 4b: mayors cannot be recalled by referendum; indicator 5: mayors preside over the council; indicator 6: mayors at least co-define the council's agenda; indicator 7a: mayors appoint the municipal chief executive officer; indicator 7b: mayors appoint the heads of the administrative departments. See Hubert Heinelt, Nikolaos-K. Hlepas, "Typologies of Local Government ... cit.", p. 37; Simona Kukovič, Marjan Brezovšek, "From Parliamentarisation Towards Presidentialisation: Institutional Aspects of Local Political Leadership in Slovenia", *World Political Science*, vol. 12, no. 1, 2016, p. 81.



11 points (out of a possible 14), which ranks it at the top of 17 European countries, behind only France. Slovenia shares second place with Spain, followed by Italy and Greece with 10 points each. This confirms that Slovenia is the only post-communist country in the group of Southern European countries, which have the most powerful mayors in relation to their institutional framework. The next post-communist country is Hungary, with 8 points, followed by Poland with 6 and the Czech Republic with 5.5 points. Although the Slovenian mayor in the current local self-government system is one of the strongest in Europe, this was not always the case. The Local Self-Government Act from 1993<sup>27</sup> was originally based on the idea that the dominant role should belong to the representative body – the municipal council – whose members would elect the mayor from among their number. After a comprehensive reform of local self-government, implemented in 1994, the mayor acquired an enhanced role.

The proposal to directly elect the mayor finally prevailed, as current law<sup>28</sup> determines that the mayor is elected by a secret ballot for a term of four years. According to legal sources, this decision failed to follow other provisions by which the relationship between two bodies would be appropriately regulated. Instead, provisions remained the same as if the mayor were elected indirectly, and the municipal council could also dismiss or recall him or her if they discovered that the mayor was not fulfilling his/her duties. Detailed provisions on the recall or dismissal of the mayor were later deleted. The original Local Self-Government Act<sup>29</sup>, with respect to the organisation of the municipalities, gave a stronger role to the municipal council<sup>30</sup>. It also stated that (in addition to the mayor, the municipal council and the supervisory board) one or more municipal committees should be established, with the authority to decide on matters within the competence of the municipal council, and with executive powers<sup>31</sup>. In this constellation, therefore, the mayor had no dominant position.

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<sup>27</sup> The Local Self-Government Act (*Zakon o lokalni samoupravi*) was adopted on December 21st 1993 and came into effect on January 15th 1994. See *The Local Self-Government Act (Zakon o lokalni samoupravi)*, *Official Gazette of Republic of Slovenia*, no. 72/1993, retrieved from <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO307>. Last accessed: March 30, 2018.

<sup>28</sup> *The Local Self-Government Act (Zakon o lokalni samoupravi-UPB2)*, *Official Gazette of Republic of Slovenia*, no. 94/2007, retrieved from <http://www.uradni-list.si/1/objava.jsp?urlid=200794&number=4692>. Last accessed: March 30, 2018.

<sup>29</sup> *The Local Self-Government Act (Zakon o lokalni samoupravi)*, *Official Gazette of Republic of Slovenia*, no. 72/1993, Article 29, retrieved from <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO307>. Last accessed: March 30, 2018.

<sup>30</sup> See *The Local Self-Government Act (Zakon o lokalni samoupravi)*, *Official Gazette of Republic of Slovenia*, no. 72/1993, Article 29, retrieved from <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO307>. Last accessed: March 30, 2018.

<sup>31</sup> See *The Local Self-Government Act (Zakon o lokalni samoupravi)*, *Official Gazette of Republic of Slovenia*, no. 72/1993, Article 28 and Article 31, retrieved from

However, the shortcomings of the original regulation emerged immediately after the formation of the first municipal authorities, and in March 1995 another amendment to the Act<sup>32</sup> was introduced, with details about the work of the municipal council, in order to eliminate confusion regarding the division of tasks between the municipal council and the mayor. Amendments introduced the positions of president and vice-president of the municipal council, which were elected among the members of the council. The role of the president of the municipal council was to represent the municipal council, to convene meetings and to direct the work of the municipal council; the vice-president was to replace the president and act in his/her name in the case of absence or impediment. The result was the paralysis and inefficiency of local self-government. The municipal council president's function was, in fact, to act as a robust and strong opposition to the mayor, especially if the president, who was typically a member of the largest political party within the council, was not a representative of the same political party as the mayor<sup>33</sup>. The municipal council could take decisions that were not in accordance with the abilities or the powers and duties of the municipality, and that may even have been illegal or unconstitutional. According to the legislation, the mayor along with the municipal administration was in charge of performing professional and administrative tasks for the municipal council. Besides that, the municipal council could appoint a secretary to carry out these tasks<sup>34</sup>, who by law had the status of a civil servant. Despite the statutory intention that the secretary not be a municipal official, his/her position in relation to the employees in the municipal administration, the director of municipal administration and even the mayor was privileged, mostly thanks to the method of appointment. Analysis of legislation shows that the position of mayor as the head of municipal administration in relation to the secretary of the municipal council was only formal, because the mayor had to systematise his/her job, while having no legitimate impact on his/her appointment, nor did the mayor direct and oversee

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<http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO307>. Last accessed: March 30, 2018.

<sup>32</sup> *The Act Amending the Local Self-Government Act (1995). The Act Amending the Local Self-Government Act (Zakon O Spremembah In Dopolnitvah Zakona O Lokalni Samoupravi)*, Official Gazette of Republic of Slovenia, no. 14/1995, Article 13, retrieved from <https://www.uradni-list.si/glasilo-uradni-list-rs/vsebina/14368>. Last accessed: March 30, 2018.

<sup>33</sup> Therefore, typical problems of cohabitation between two municipal authorities often arose, which were mainly due to the method of election of the municipal council on one side and the mayor on the other.

<sup>34</sup> See Article 13 of *The Act Amending the Local Self-Government Act (1995). The Act Amending the Local Self-Government Act (Zakon O Spremembah In Dopolnitvah Zakona O Lokalni Samoupravi)*, Official Gazette of Republic of Slovenia, no. 14/1995, Article 13, retrieved from <https://www.uradni-list.si/glasilo-uradni-list-rs/vsebina/14368>. Last accessed: March 30, 2018.

his/her work. The mayor – under the strict supervision of the secretary of the municipal council – exercised all other rights and duties regarding the employment procedures. The mayor and the municipal administration were often in a difficult position regarding decisions of the municipal council, which might not be implemented owing to non-compliance with the law, municipal regulations or the financial capabilities of the municipality<sup>35</sup>. The effectiveness of the local government was at the lowest level possible and depended largely on the tolerance and political skills of individuals, which inevitably led to the reform and reorganisation of the provisions of the Local Self-Government Act – with the aim of establishing and ensuring the efficiency of the municipal bodies in the next term. Thus, with the amended legislation in 1998, the positions of president and vice-president of the municipal council and the post of secretary of the municipal council were abolished, while strengthening the role of the mayor<sup>36</sup>.

Efforts to enforce the regulation surrounding the relationship between legislative and executive bodies, which would ensure greater coherence and raise the effectiveness of local government, are visible in the provisions amending the Local Self-Government Act of 1998<sup>37</sup>. These determine that the mayor represents the municipal council and convenes and presides over its meetings, but does not have the right to make decisions or to vote. The aim of this regime is primarily to ensure consistency in the work of the municipal bodies, for the sake of the efficiency of the municipality as a whole and thus the efficiency of local self-government. Undoubtedly, the provisions were set to reinforce the power of the mayor vis-à-vis the municipal council and put him/her in a position of being a facilitator and coordinator of the overall performance of the municipality; the centre of gravity of power and decision-making was therefore shifted more towards the executive body or the mayor<sup>38</sup>.

The legal and actual position of Slovenian mayors is close to the purest form of a mayoral system of local government in which the majority of decision-making powers are concentrated in the executive body. The importance of a mayor does not arise so much from mayoral responsibilities,

<sup>35</sup> Therefore, a group of mayors initiated procedures for evaluating the constitutionality of municipal regulations or constantly opposed the presidents of municipal councils and prevented the classification of the proposal on the agenda and notification of the calling of meetings, or helplessly waited for their mandate to pass.

<sup>36</sup> See *The Act Amending the Local Self-Government Act (Zakon o spremembah in dopolnitvah Zakona o lokalni samoupravi)*, *Official Gazette of Republic of Slovenia*, no. 74/1998, retrieved from <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO562#>. Last accessed: March 30, 2018.

<sup>37</sup> See *The Act Amending the Local Self-Government Act (Zakon o spremembah in dopolnitvah Zakona o lokalni samoupravi)*, *Official Gazette of Republic of Slovenia*, no. 74/1998, retrieved from <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO562#>. Last accessed: March 30, 2018.

<sup>38</sup> Simona Kukovič, Marjan Brezovšek, "From Parliamentarisation Towards ... cit.", pp. 69–85.

but rather from the fact that (s)he is directly elected, which means that his/her mandate does not depend on the municipal council. By law, the mayor is not actually responsible for carrying out his/her duties, and neither is (s)he responsible for the municipal council, nor any other body in the municipality – not even voters can recall the mayor. The mayor is legally obliged to implement the decisions of the municipal council, but cannot be forced to do so in reality. Autonomy and a lack of legal responsibility enable the mayor to perform his/her duties of directing and supervising the municipal administration by imposing his/her own will and policy. The mayor may be punished by voters for doing this at the end of the four-year term of office, so that (s)he cannot be re-elected<sup>39</sup>.

Current legislation clearly favours the effectiveness of local self-government over democratic decision-making, participation and the involvement of the local community in decision-making; indeed, decision-making is almost entirely dependent on the will and initiative of the mayor. In the current Slovenian system of local self-government, therefore, a dualism of governance has been established between the legislative and executive, creating a situation that can cause the problem of cohabitation and subsequent paralysis of municipal management. Analysis of the regulatory division of power at the local level in Slovenia suggests that the relationships between the legislative and executive favour the latter – the mayor. Slovenia reformed its local government system from parliamentarism to strong presidentialism<sup>40</sup> with directly elected mayors. This is also reflected in a comparative perspective, as Slovenia (along with the countries of the Franco group – France, Spain, Italy and Greece) tops the index of the institutionally determined power of mayors,

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<sup>39</sup> Statistics show that at every mayoral election since 1998, between 80% and 90% of incumbent mayors have decided to stand again, which clearly shows how highly motivated mayors are to remain in that capacity and in that way build their political careers. The propensity of voters to re-elect incumbent mayors is significant in Slovenia; the electoral success of these candidates is in fact increasing with each mayoral election: in 1998, the electoral success rate was 77.4%; in 2002, 79.2%; in 2006, 81.6% and in 2010 82.7%. See Simona Kukovič, Miro Haček, "The re-election of mayors in the Slovenian local self-government", *Lex localis*, vol. 11, no. 2, 2013, p. 93 and pp. 95–96. At the local elections in 2014, the electoral success of re-elected incumbent mayors was the biggest so far, namely 84.2%. See Simona Kukovič, Colin Copus, Miro Haček, Alasdair Blair, "Direct Mayoral Elections in Slovenia and England: Traditions and Trends Compared", *Lex Localis*, vol. 13, no. 3, 2015, p. 700.

<sup>40</sup> Hellmut Wollmann, "Local Government Reforms in (Seven) European Countries: Between Convergent and Divergent, Conflicting and Complementary Developments", *Local Government Studies*, vol. 38, no. 1, 2012, p. 50.

which indicates the presence of a Continental European Napoleonic administrative tradition<sup>41</sup>.

### Mayoral Involvement In Administration As A Consequence Of Slovenian Administrative Tradition?

As mentioned earlier, Slovenian mayors may be placed in the group of executive mayors, as, according to Heinelt and Hlepas<sup>42</sup>, executive mayors direct the operation of the municipal administration. Moreover, the Slovenian legislative framework defines the mayor as the head of the municipal administration<sup>43</sup>. As such, the mayor directs the work of the whole municipal administration and assigns tasks to it that it has to perform for the municipal council. Hence, the mayor is accountable to the municipal council for the work of the municipal administration in terms of its implementation of the council's decisions. Among other things, the mayor determines the systematisation of job positions within the municipal administration and decides on employment(s) or termination(s) of employment<sup>44</sup> within the municipality. Moreover, the mayor has responsibility for appointing and dismissing the director of the municipal administration<sup>45</sup> and the heads of bodies within the administration, with the result that the whole administration – including the director – is accountable to the mayor. The mayor also makes decisions on administrative matters within the scope of the municipality's competences at the second stage of decision-making process (i.e. in cases of complains etc.), settles disputes concerning competences between individual bodies within the municipal administration and decides upon appeals lodged against decisions made by a body of the joint municipal administration that fall within the territorial jurisdiction of the municipality. In addition, the mayor offers the expert and administrative

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<sup>41</sup> Sabine Kuhlmann, Hellmut Wollmann, *Introduction to Comparative Public Administration; Administrative Systems and Reforms in Europe*, Edward Elgar Publishing, Cheltenham in Northampton, 2014.

<sup>42</sup> Hubert Heinelt, Nikolaos-K. Hlepas, "Typologies of Local Government ... cit.", p. 35.

<sup>43</sup> *The Local Self-Government Act (Zakon o lokalni samoupravi-UPB2)*, *Official Gazette of Republic of Slovenia*, no. 94/2007, Article 33, retrieved from <http://www.uradni-list.si/1/objava.jsp?urlid=200794&number=4692>. Last accessed: March 30, 2018.

<sup>44</sup> See Miro Haček, "The commitment of senior civil servants to democratic freedoms and equality", *Transylvanian review of administrative sciences*, no. 35 E, 2012, p. 95.

<sup>45</sup> The director of the municipal administration can be appointed by the mayor for a term of five years and may be dismissed in the first year of the appointment without attribution of a fault. See Miro Haček, "The Relationship between Civil Servants and Politicians in a Post-Communist Country: A Case of Slovenia", *Public Administration*, vol. 84, no. 1, 2006, p. 166.

assistance of the municipal administration to the supervisory board of the municipality<sup>46</sup>.

Moreover, empirical analyses and studies<sup>47</sup> note a close link between the mayor as a political leader and the municipal administration. The most recent empirical research was conducted in winter/spring 2014. The main method of research data acquisition was fieldwork, using a structured multi-modular questionnaire<sup>48</sup> distributed to the mayors of Slovenian municipalities. The survey was based on personal approach and communication, which means that we sent each of the selected respondents a personally addressed invitation and proceeded with the questionnaire only after we got a positive response<sup>49</sup>. Observation was therefore directed to the political leaders in the Slovenian local government; the units of observation were the mayors. We designed a survey sample using the quota sampling method in the population of 212 municipalities. Quotas were determined based on a calculation of population shares, which means that Slovenian municipalities were divided into five groups by municipal population. Such a classification also enabled the analysis and comparison of the similarities and differences in the political leadership between larger and smaller municipalities. In each group of municipalities, we randomly selected half the municipalities. We set the target in such a way that from each of the five groups we achieved a 100% response rate within its quota, which coincides with 50% of the entire population of Slovenian mayors (i.e. 106 mayors). The full implementation of this research method ensured a

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<sup>46</sup> Marjan Brezovšek, Simona Kukovič, *Organizacija lokalne oblasti v Sloveniji (The organization of local authorities in Slovenia)*, Faculty of Social Sciences, Ljubljana, 2012, p. 127.

<sup>47</sup> See also previous studies, for example Simona Kukovič, *Modeli strukturiranja izvršilne veje oblasti na lokalni ravni, magistrsko delo (Models of structuring of executive branch of power on local level, master thesis)*, University of Ljubljana, Ljubljana, 2011.

<sup>48</sup> We used a questionnaire from the survey *The European Mayor, Political Leaders in the Changing Context of Local Democracy* (for more see Henry Bäck, Hubert Heinelt, Annick Magnier (eds.), *The European Mayor, Political Leaders in the Changing Context of Local Democracy*, VS Verlag für Sozialwissenschaften, Wiesbaden, 2006) with some adaptations to the Slovenian local government system. We also added some specific questions. See details in Simona Kukovič, *Stili lokalnega političnega vodenja, Doktorska disertacija (Styles of Local Political Leadership, Doctoral Thesis)*, University of Ljubljana, Ljubljana, 2015, appendix B.

<sup>49</sup> Moreover, we acknowledged the limitations of data gathering by this means, which could result in posing inappropriate questions and/or receiving incorrect or irrelevant answers. For this reason, we had additionally conducted in advance structured interviews with four mayors to reveal technical or/and methodological misunderstandings, as well as weaknesses in content. At the same time, we got further extensive insights into the topic and familiarised ourselves with the position of mayors in the Slovenian local (self-)government system.

representative sample, which allows the results to be generalised to the entire population of mayors<sup>50</sup>.

Our results show the involvement of mayors in the daily functioning of the municipal administration in different dimensions. This was revealed for the first time by the frequency and intensity of the mayor's communications with the various stakeholders. Data show that mayors communicate most intensively with stakeholders from the administrative/professional network, which includes the director of the municipal administration and other professional (civil service) stakeholders from the national and local levels of government<sup>51</sup>. More than half of the mayors (56%) responded that they communicate daily or at least two to four times weekly with the stakeholders in the administrative/professional network. In terms of attitudes towards the mayoral priorities, according to the typology of Leach and Wilson<sup>52</sup>, the tasks of "ensuring the correctness of the political-administrative proceedings" and "directing employees in their daily activities" are among the priorities of Slovenian mayors. The first task was identified as a priority by 74% of the mayors, while the second was chosen by 59% of the mayors. As both time allocations and the organisation of the daily activities are based on these tasks, the priorities of mayoral time management are hereby revealed. Indeed, mayors devote most of their time (an average of 7.4 hours per week) to meetings with their administrative staff. It is also interesting to see answers to the question about the aspects of mayors as political leaders that are considered foremost. Slovenian mayors as political leaders give priority "to established rules and procedures" (such as laws, regulations and internal procedures) before the aspects of "efficient and quick performance of tasks" and "concern that all involved are satisfied with the decision-making processes and their outcomes"<sup>53</sup>. Finally, 42% of the mayors expressed strong disagreement with the statement, "Politicians should only define objectives and control outputs, but never intervene in the local administration's fulfilment of its tasks".

<sup>50</sup> See details in Simona Kukovič, *Stili lokalnega političnega vodenja, Doktorska disertacija (Styles of Local Political Leadership, Doctoral Thesis)*, University of Ljubljana, Ljubljana, 2015, pp. 146–154.

<sup>51</sup> On a scale from 0 to 4, the administrative/professional network has an average value of 2.51. Behind it there are the civil society network, with an average value of 2.01, intermunicipal networking, with an average value of 1.48, local political networking, with an average value of 1.10, and other political networking, with an average value of 0.57.

<sup>52</sup> Steve Leach, David Wilson, "Urban Elites in England: New Models of Executive Governance", *International Journal of Urban and Regional Research*, vol. 28, no. 1, 2004, pp. 134–149.

<sup>53</sup> As many as 40% of mayors identified the aspect "to established rules and procedures" as the most important; the aspect "efficient and quick performance of tasks" was evaluated as most important by 30% of the mayors, while the aspect "concern that all involved are satisfied with the decision-making processes and their outcomes" was evaluated as most important by only 10% of the mayors.

**Table 1: Selected elements showing mayoral involvement in municipal administration**

<b>Communication of mayors</b>	Administrative/professional network (on scale 0 to 4: average value of 2.51)
	56%: daily communication or at least two to four times weekly with the stakeholders of administrative/professional network
	On average 7.4 hours weekly are meetings with administrative staff
<b>Priorities of mayors</b>	74%: "ensuring the correctness of the political-administrative proceedings"
	59%: "directing employees in their daily activities"
	40%: as political leader I give priority "to established rules and procedures"
	42%: <i>"Politicians should only define objectives and control outputs, but never intervene into the task fulfillment of local administration"</i>

\* Percentages present share of mayors that expressed agreement. Percentages of last statement (in italics) show share of mayor that expressed "strong disagreement".

Source: Author's own elaboration.

The involvement of political leaders, i.e. mayors, in the daily functioning of the municipal administration is therefore unquestionable. But it is relevant to ask what the reasons are for this practice. A possible answer can be found in the analysis of administrative models and traditions across Europe. According to Kuhlmann and Wollmann<sup>54</sup> countries with post-communist legacies should belong to the Central Eastern and South Eastern European model<sup>55</sup>. The basic priorities of this model are e-administration, open public administration, ethical codes, user orientation and quality management; while the deficiencies are insufficient market orientation, uncontrolled and unregulated privatisation, administrative centralisation and the diminished role of the private sector<sup>56</sup>. Despite this classification, a comparative analysis of Slovenian local self-government shows more similarities with the Continental European Napoleonic model, which includes France, Italy, Spain, Greece and Portugal. In the Continental European Napoleonic tradition, the idea of "good governance" is closely related to the effective application of the law and the hierarchy of legal norms in the pursuit of public objectives<sup>57</sup>. The emphasis is on legalism and formalism, administrative law and administrative judiciary.

<sup>54</sup> Sabine Kuhlmann, Hellmut Wollmann, *Introduction to Comparative ... cit.*, p. 19.

<sup>55</sup> After the fall of the communist regimes, these countries entered into a transition process, involving the elimination of the socialist state organisation and the (re-)establishment of a Continental European constitutional, civic and administrative organisation. Some of these countries have completely abolished previous socialist institutional arrangements, while in others the influence of these arrangements still dominates, with serious implications for the functioning of the public administration. See Sabine Kuhlmann, Hellmut Wollmann, *Introduction to Comparative ... cit.*, p. 20.

<sup>56</sup> Marjan Brezovšek, Simona Kukovič, *Evropska javna uprava (European Public Administration)*, Faculty of Social Sciences, Ljubljana, 2015, p. 103.

<sup>57</sup> B. Guy Peters, "The Napoleonic tradition", *International Journal of Public Sector Management*, vol. 21, no. 2, 2008, pp. 118–132.



Liability is formal and legalistic, control is carried out *ex ante* and civil servants need to gain approval before making and implementing decisions. In practice, this means political control of the administration, the politicisation of senior civil servants<sup>58</sup> and their political nomination, as well as partisan patronage and clientelism<sup>59</sup>. The impact of the Continental European Napoleonic model of administrative tradition can still be felt among the ranks of Slovenian mayors. They are strongly involved in the organisation and operations of the municipal administration, and even tend to control the implementation of political decisions and administrative procedures.

### The Non-Autonomy Of Local Self-Government And The Entry Of Non-Partisan Mayors

Rather than create their own policies, local politicians mostly exercise vertically higher-level policies, which results in the division of competences between the state and local government level. The regulations of local governments do not provide much room for manoeuvre in creating an independent policy in certain areas; therefore, we can only talk about relative autonomy<sup>60</sup>. Local officials' political activity is partly limited by vertically higher-level policy and partly by the competences of senior state officials. Since local politicians are faced with many practical difficulties, they usually try to build up networks with senior state officials. In this way, they obtain access to different information and expert opinions and increase their influence in society. All this creates a specific relationship between the state and local authority<sup>61</sup>.

When analysing the third dimension (mayoral empowerment and mayoral involvement in municipal administration being the first and second), we rely on Continental European Napoleonic model of administrative tradition. A feature of this model is the direct exercise of power by the state by means of a unitary model, which does not promote the creation of federal or similar structures<sup>62</sup>. Although the principles of territorial administrative organisation

<sup>58</sup> Marko Čehovin, Miro Haček, "Critical analysis of civil service politicization in Slovenia", *World political science review*, vol. 11, no. 1, 2015, pp. 133–155.

<sup>59</sup> Walter Kickert, "Distinctiveness of Administrative Reform in Greece, Italy, Portugal and Spain. Common characteristics of context, administrations and reforms", *Public Administration*, vol. 89, no. 3, 2011, p. 810.

<sup>60</sup> See Ann Schultz, *Local Politics and Nation-States*, ClioPress Ltd, Oxford, 1979, p. 79; Simona Kukovič, *Lokalno politično vodenje: Slovenski župani v primerjalni perspektivi (Local Political Leadership: Slovenian mayors in Comparative Perspective)*, Faculty of Social Sciences, Ljubljana, 2015, p. 33.

<sup>61</sup> Simona Kukovič, *Lokalno politično vodenje ... cit.*, p. 33.

<sup>62</sup> Sabine Kuhlmann, Hellmut Wollmann, *Introduction to Comparative ... cit.*, p. 16.

and institutional subsidiarity are underdeveloped, all Southern European countries carried out a comprehensive reform of local systems in recent decades, but local systems remain weak and heavily centralised.

Many Continental European Napoleonic tradition countries have constitutional protection for local government, but this does not prevent central government making crucial decisions that affect local authorities<sup>63</sup>. Even in Slovenia, similar trends can be detected. Local (self-)government is a constitutionally guaranteed category<sup>64</sup>; however, the central government still intervenes in its functioning through the ministry responsible. Since 1994, the territorial reform of local self-government has been moving towards fragmentation; indeed, the number of municipalities increased from 147 to 212 in the last two decades; and the fact remains that Slovenia failed to establish a regional level of local government. On the one hand, Slovenia is faced with the creation of new (smallish) municipalities; on the other hand, the autonomy of local government is slowly fading at the expense of strengthening the central government. The central government monitors the institutional municipal framework, especially control of municipal financial resources. For a clearer overview, we are presenting data from analysis of the vertical power relations between the municipalities and central government. On the basis of three chosen indicators<sup>65</sup>, analysed in the group of 17 European countries, Slovenia ended up at the bottom of the group, together with all other Southern European countries<sup>66</sup>.

Although the Slovenian municipalities – like most municipalities in Southern European countries – are fragile, non-autonomous and financially heavily dependent upon the central government, they do differ from Southern European countries in the ever smaller role of the political parties. In Southern European countries, political parties at the local level are key stakeholders; the mayor is a clear political representative of the local community, with a

<sup>63</sup> Peter John, *Local Governance in Western Europe*, Sage Publications Ltd., London, 2001, p. 33.

<sup>64</sup> *Constitution of the Republic of Slovenia (Ustava Republike Slovenije)*, Official Gazette RS, 33/1991, Article 9, retrieved from <http://www.uradni-list.si/1/objava.jsp?urlid=199133&stevilka=1409>. Last accessed: March 30, 2018.

<sup>65</sup> Indicator 1: responsibility of municipalities for pursuing social policies, in particular social services (0 = no or little responsibility, 1 = some responsibility, 2 = a lot of responsibility); indicator 2: financial autonomy of municipalities in collecting their own taxes and/or in assessing the use of government subsidies (0 = low autonomy, 1 = some autonomy, 2 = high autonomy); indicator 3: level (and adequacy) of public spending of municipalities, measured as a percentage of GDP (0 = less than 5%, 1 = between 5% and 10%, 2 = more than 10%). See Hubert Heinelt, Nikolaos-K. Hlepas, "Typologies of Local Government Systems", in Henry Bäck, Hubert Heinelt, Annick Magnier (eds.), *The European Mayor, Political Leaders in the Changing Context of Local Democracy*, VS Verlag für Sozialwissenschaften, Wiesbaden, 2006, p. 28; Simona Kukovič, *Lokalno politično vodenje ... cit.*, p. 43.

<sup>66</sup> Out of a possible six points in total, Slovenia managed to get only two points.

relatively limited range of competences. In contrast, Slovenia has since 1998 been witnessing the ever-stronger winning capability of non-partisan candidates and lists at local elections; this is especially the case in mayoral elections. Since the local elections of 1998, most municipalities have had a mayor who was not put forward by a political party; 43 non-partisan mayors out of 192 municipalities were elected at the local elections in 1998, 59 out of 193 at the local elections in 2002, 66 out of 210 at the local elections in 2006, 70 out of 210 in 2010 and 115 out of 212 municipalities at the local elections in 2014. At the last local elections in 2014, non-partisan mayoral candidates ran in 75% of all municipalities (159 out of 212), and were successful in 72% of cases (115 out of 159 municipalities). This was by far the highest success rate of non-partisans or any political party at any local elections in the two-decade history of Slovenian local democracy<sup>67</sup>. In this way, Slovenian mayors are becoming more unconstrained from the national political parties with each local election. In particular, this can be claimed with regard to the fact that the mayors are directly elected, therefore, responsible only to the voters, as all other mechanisms<sup>68</sup> that permit sanctions in the case of mayoral abuse of his/her position have been legally abolished.

## Conclusion

Reforms spreading throughout Europe have brought different streams that have reorganised the structures of local authorities and had especially strong impact on local political leadership. Both the political and the operational (administrative) ability of local authorities have strengthened, in the form of collective leadership in conjunction with parliamentarism or in the form of a

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<sup>67</sup> Simona Kukovič, Colin Copus, Miro Haček, Alasdair Blair, "Direct Mayoral Elections in Slovenia and England: Traditions and Trends Compared", *Lex Localis*, vol. 13, no. 3, 2015, p. 700.

<sup>68</sup> The Local Self-Government Act regulates the termination of office of the mayor only: if (s)he loses the right to vote; if (s)he becomes permanently incapable of performing his/her functions; if (s)he is sentenced to a term of imprisonment of more than six months; if (s)he does not cease his/her activities, which are not compatible with this feature or function, or which is incompatible with that of member of the municipal council; if (s)he resigns; if (s)he dies. See *The Local Self-Government Act (Zakon o lokalni samoupravi-UPB2)*, Official Gazette of Republic of Slovenia, no. 94/2007, Article 37a, retrieved from <http://www.uradni-list.si/1/objava.jsp?urlid=200794&number=4692>. Last accessed: March 30, 2018.

strong individual leader – the mayor – which is associated with local presidentialism<sup>69</sup>.

According to POLLEADER typology Slovenia belongs in the group of countries with executive mayors. The calculated index of mayoral strength<sup>70</sup> indicates that Slovenia has institutionally the second strongest mayor among European countries, trailing just behind France, which strongly indicates the presence of a Continental European Napoleonic administrative tradition. Slovenian local self-government in the last two decades has gradually transitioned from parliamentarism (with a relatively strong legislative body, the municipal council) to the strengthening of an individual executive body (the mayor). During the reforms several elements originating from Southern European local government models were introduced into the Slovenian local self-government system. Moreover, our empirical study shows many similarities between Slovenian mayors and mayors from so-called Franco group of countries<sup>71</sup>, although Slovenia in many ways belongs to the Central East European group of countries by virtue of its geography, path dependency, democratic transition and consolidation processes.

Our analysis has determined the unique position and type of local political leadership that Slovenian mayors have developed through the last two decades. Initial analyses shows that in the Slovenian local self-government system Continental European Napoleonic administrative traditions persist, meaning that mayors have strong influence and control over the municipal administration and are deeply involved in its everyday functioning.

Slovenian municipalities are institutionally also highly dependent on the national government; however, the proportion of non-partisan mayors is fast rising with every new local election, which enhances their authority and makes them ever more independent of national (party) politics. Hence Slovenia, with a directly elected (both formally and informally) strong mayor, occupies a unique place at the intersection of Southern European local government systems and Central East European models of local–central relations.

If we consider whether development of institutional orientations across countries has shown convergence or divergence, we may observe that the general trend, which is reflected in response to the democratic deficit in the area of local political and executive leadership, is the transformation of leadership structures. However, it should be emphasised that there are significant differences between the countries in the direction of their reforms. This study

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<sup>69</sup> Hellmut Wollmann, “Local Government Reforms in (Seven) European Countries: Between Convergent and Divergent, Conflicting and Complementary Developments”, *Local Government Studies*, vol. 38, no. 1, 2012, pp. 41–70.

<sup>70</sup> See Hubert Heinelt, Nikolaos-K. Hlepas, “Typologies of Local Government ... cit.”, pp. 21–42.

<sup>71</sup> Joachim Jens Hesse, Laurence J. Sharpe, “Local Government ... cit.”, pp. 603–621.

has shown that the cause of divergence is undoubtedly path dependency, as well as the overlapping of different institutional and cultural traditions. From this point of view, it is suggested that the existing typologies of vertical and horizontal relations should be used only as an umbrella structure. Therefore, further research should investigate the development of various subgroups within each (traditional) local leadership type, taking into account the specific and analytical dimensions of the local leadership design in individual countries.